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CONSTITUTION

AND

CANONS,

TOGETHER WITH THE

RULES OF ORDER

OF THE

PROTESTANT EPISCOPAL CHURCH

IN

NORTH CAROLINA.



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# CONSTITUTION.

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## ARTICLE I.

The Church in this Diocese accedes to and adopts the Constitution of the Protestant Episcopal Church in the United States of America, as set forth in General Convention thereof, and acknowledges its authority accordingly.

## ARTICLE II.

Section 1. There shall be an Annual Convention of the Church in this Diocese, at such time and place as may be determined by the next preceding Convention, or, in the event of no such determination, on the last Wednesday in May, at such place as may be agreed upon by the Bishop and Standing Committee.

Sec. 2. But the time or place of such meeting may be changed, or special Conventions called, by the Ecclesiastical Authority of the Diocese, subject, nevertheless, to such canonical provisions as may hereafter be made.

Sec. 3. Provided that no special Convention shall be called without at least sixty days' notice, which notice shall be published for at least one month in three different newspapers of the State, and shall specify the business and purpose for which said special Convention is to be called, and upon that alone it shall act.

## ARTICLE III.

Sec. 1. The Convention shall be composed of the two orders, Clerical and Lay.

Sec. 2. The Bishop of the Diocese, or, in his absence, the Assistant Bishop, if there be one, or the Bishop in charge, as representing the Episcopal authority, shall, if present, preside at all meetings of the Convention.

Sec. 3. Every Clergyman of the Church, having been for twelve calendar months before any meeting of the Convention canonically connected with the Diocese, either as a Clergyman or as a Candidate for Orders, shall be entitled to a seat and vote in the same.

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Sec. 4. Each regularly organized Parish in union with the Convention shall be entitled to be represented at its sessions by one or more delegates, not exceeding four, to be chosen by the Vestry from among the male communicants of said Parish; provided, that in case there shall be no male communicant in said Parish, the Vestry shall have power to elect one or more delegates, qualified as above, from any other Parish or Parishes of the Diocese. And each Vestry shall be entitled to elect in addition four *alternate* delegates, subject to the same qualifications, who shall be authorized, in the order of their election, to fill any vacancy that may occur in the delegation originally chosen: *Provided*, that no person, clerical or lay, under ecclesiastical censure, publicly declared by a competent tribunal, shall be admissible to a seat in the Convention.

Sec. 5. If any Parish shall neglect or decline to appoint delegates, or if any of those appointed shall neglect or be prevented from attending, such Parish shall nevertheless be bound by the acts of the Convention.

#### ARTICLE IV.

Sec. 1. The Convention shall be the sole judge of the election of its own members. It shall have power to adopt rules of order for its own government, elect officers and raise funds, and shall also have such other legislative powers as may be necessary and proper for the well-being of the Diocese.

Sec. 2. The Convention shall have no power to pass any Canon infringing the Episcopal authority, or affecting the spiritual condition of the Diocese, against the express dissent of the Bishop: *Provided*, that said dissent shall be expressed at that or the ensuing Annual Convention.

Sec. 3. But this shall not prevent the Convention from offering, independently of the Bishop, resolutions of advice or inquiry, or from any proceedings necessary for the purposes of impeachment.

#### ARTICLE V.

Sec. 1. To constitute a quorum for the purpose of ordinary business, the presence of one-third of all the Parochial Clergy, and of Delegates from ten of the Parishes entitled to representation in the Convention, shall be necessary. Any less number shall be competent to receive reports and to adjourn.

#### ARTICLE VI.

Sec. 1. Upon any question before the Convention, when it may be

required by any one clerical member, or by the delegation present of any one Parish, the two orders shall vote separately. And in all cases of a vote by orders, each clerical member shall be entitled to one vote, and each delegation shall also be entitled to one vote, and a concurrence of majorities of both orders shall be necessary to a decision. When no such division is called for, each member of the Convention shall be entitled to one vote.

Sec. 2. All elections shall be by ballot, unless otherwise unanimously ordered.

## ARTICLE VII.

Sec. 1. The Convention shall annually elect a President (who shall be a Presbyterian of the Diocese), a Secretary and a Treasurer.

Sec. 2. Should there at any time be no such election, then the officers *last* before elected shall hold over till such election shall be had.

Sec. 3. Should the office of Secretary or that of Treasurer become vacant, by death or otherwise, at any time preceding the annual election, the Ecclesiastical Authority shall be empowered to appoint some person to fill the vacancy till such time as an election shall be had, who shall be competent to all the powers and duties of the office as if regularly elected thereto.

## ARTICLE VIII.

Sec. 1. A Standing Committee or Council of Advice to the Bishop, of not less than five persons, shall be annually elected by the Convention. A majority of said Committee shall at all times be Clergymen of the Diocese, and no Layman not a communicant shall be a member thereof.

Sec. 2. The Committee shall have power to fill any vacancies that may occur in their own body between the Annual Meetings of the Convention.

Sec. 3. When there is no Bishop, the Standing Committee shall be the Ecclesiastical Authority of the Diocese, and, as such, may invite the temporary services of other Bishops, and, for due cause, may change the time or place of the Annual Meetings of the Convention. They may also summon special Conventions when there is no Bishop, and shall do so upon the call of one-third of the Clergy of the Diocese, or of one-third of the Parishes in union with the Convention, as appearing upon the lists of the Journal last before published. And although there be a Bishop, the Standing Committee shall have power to call special Conventions for the purpose of proceedings relative to his



impeachment, and shall do so upon a similar requisition by the Clergy or Laity.

## ARTICLE IX.

Sec. 1. Any ten or more Adults may organize themselves into a Parish and be received into union with the Convention, by taking such steps as may be provided for by Canon.

Sec. 2. Provided that it shall always be competent to the Ecclesiastical Authority of the Diocese, with the consent of the Rector of any Parish, to establish within the limits of said Parish independent Missionary congregations, whose Pastors shall be independent of the Rector and responsible only to the Ecclesiastical Authority aforesaid.

Sec. 3. In all Parochial elections none shall be entitled to vote but males of the age of twenty-one years, members of the Parish, who shall have subscribed a declaration in the following words, viz.:

We, the undersigned, do hereby consent to be governed by the Constitution and Canons of the Church, as set forth in General Convention, and by the Constitution and Canons of the Church in this Diocese. [See Canon xiv.] Provided, that this section shall not be taken to infringe upon the existing customs of any already organized Parish.

Sec. 4. Any Parish ceasing to be represented in the Convention for two successive years, or any Parish resisting the authority of the Convention, may be suspended from the right of representation, or its connection with the Convention be dissolved, by a vote of a majority of all the Parochial Clergy, and a majority of Delegates from at least twenty Parishes. But such suspension or dissolution shall never take place without previous inquiry by a Committee appointed for the purpose and a report upon the facts of the case; nor until after 30 days' notice to the Rector or Vestry, or in case there be none, then to some member of the Parish in default.

## ARTICLE X.

Sec. 1. Any Presbyterian regularly called to the charge of a Parish and entering thereupon, shall, during the time of such charge, be held to be the Rector of said Parish.

Sec. 2. The Rector is recognized as having, by virtue of his office, the exclusive regulation, under his canonical superiors, of all the spiritual concerns of the Parish; as being entitled at all times to have access to the Church building, and to open the same for the service or instruction of this Church, as he may deem proper; to call meetings of the Vestry or congregation; when present, to preside in the same, and, in case of a tie, to give the casting vote.

## ARTICLE XI.

The Convention shall pass Canons for the trial of Clergymen.

## ARTICLE XII.

Sec. 1. When a Bishop or Assistant Bishop is to be elected, the Convention shall always vote by distinct Orders, on this wise: The Clergy, by a majority of all in the Diocese entitled to seats in the Convention, shall make a nomination by ballot for the office; and then a concurrence by ballot of a majority of the Delegates from at least twenty Parishes in union with the Convention (the said Delegates voting by Parishes), shall be necessary to complete the election.

Sec. 2. In the election of a Bishop, or upon any question touching the same, no Clergyman who shall have become canonically connected with the Diocese during the vacancy in the Episcopate, and no Parish which shall have been received into union with the Convention during such vacancy, shall be permitted to vote.

## ARTICLE XIII.

No new Canon shall be passed, nor shall any existing Canon be amended, upon the day upon which said new Canon or amendment may be proposed, without unanimous consent. Nor, without a similar consent, shall the question upon such Canon or amendment be finally put without previous reference to a committee.

## ARTICLE XIV.

Sec. 1. This Constitution shall not be altered or amended without—

First. A concurrent vote of a majority of both orders, present at one Annual Convention, proposing said alteration;

Second. The adoption of the proposed alteration or amendment, at the next ensuing Annual Convention, by a majority of all the Clergy present, and a majority of the Delegates from at least twenty Parishes, entitled to seats in said Convention, the said Delegates voting by Parishes.

Sec. 2. Provided that the consideration of the proposed amendment may always be postponed to the next Annual Convention, by a vote of two-thirds of both orders present.

## ARTICLE XV.

This Constitution shall go into effect from and after the adjournment of this Convention.

# CANONS.

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## CANON I.—CHANGE OF TIME OR PLACE OF MEETING OF CONVENTION.

Whenever the prevalence of an epidemic, or contagious disease, or other sufficient cause, shall render it necessary, the Ecclesiastical Authority of the Diocese may change the place and time of meeting of the Diocesan Convention.

## CANON II.—LIST OF MEMBERS OF CONVENTION.

Section 1.—CLERGY.—It shall be the duty of the Secretary, before the opening of the Annual Convention, to apply to the Ecclesiastical Authority for a correct list of the Clergy entitled to seats. Such list shall be *prima facie* evidence of said title, and from it the Secretary shall prepare the Roll for the purpose of organization.

Sec. 2.—LAITY.—The Secretaries of the several Parish Vestries, electing Lay Delegates to the Convention, shall furnish three certificates of said election, whereof one shall be handed to the Delegates elect, one shall be forwarded to the Secretary of the Convention, and one to the Minister of the Parish where the Convention is to be held—the latter two to be mailed at least two weeks before the time appointed for the opening of the session. From these certificates the Secretary shall prepare a list of Lay Delegates, to be called at the opening of the Convention; nor shall he insert any name upon the Roll without the evidence of one of said certificates, unless specially directed to do so by the Convention. Defective or doubtful certificates shall be laid aside, to be acted upon after the Convention shall have organized.

## CANON III.—SERVICES.

At the opening of the Convention Divine Service shall be celebrated and the Holy Communion administered, and a sermon shall be preached by some Clergyman appointed for the purpose by the Ecclesiastical Authority.

## CANON IV.—RULES OF ORDER.

The Convention shall adopt Rules of Order, which shall continue in force till altered.



## CANON V.—PRESIDENT.

The President shall preside at all meetings of the Convention, in the absence of a Bishop competent to do so, according to the provisions of the Constitution.

## CANON VI.—SECRETARY.

The Secretary shall issue the prescribed notices of the annual meetings of the Convention, and in case of special meetings of the same, or of a change in the time or place of the regular meeting, shall, under the direction of the Ecclesiastical Authority, issue notices thereof. He shall prepare the canonical lists of the Clergy and Lay Delegates entitled to seats therein. In the absence of both Bishop and President he shall call the Convention to order for the purpose of organization. He shall keep a record of its proceedings, under its direction; shall prepare and issue its journals; and shall preserve, and have ready for reference, all papers belonging to the same, not specially given into other hands; and shall also be the Registrar of the Diocese.

## CANON VII.—TREASURER.

The Treasurer shall have custody of all funds or moneys belonging to the Diocese; shall, under the direction of the Convention, receive, invest and disburse the same, and shall keep and return an account thereof to each annual meeting.

## CANON VIII.—COMMITTEES.

Sec. 1. In addition to the Standing Committee of the Diocese, as provided for by the Constitution, the following permanent Committees shall be annually elected, who shall remain in office till the appointment of their successors, viz.: An Executive Missionary Committee, to consist of five; an Education Committee, to consist of three; and a Church Building Committee, to consist of five, besides the Bishop, who shall be *ex officio* member and Chairman of said Committees; also, a Committee on Canons, to consist of *three* clergymen and *two* laymen; and a Committee on Finance, to consist of *two* clergymen and *three* laymen, to be annually appointed by the Bishop, or, in his absence, by the President of the Convention, and who shall remain in office till the appointment of their successors.

Sec. 2.—STANDING COMMITTEE.—The Standing Committee shall elect a President and Secretary from their own body. They shall assemble upon the call of their President, whenever he may deem it necessary. He shall also summon them whenever required to do so.

by the Bishop, or by any three members of the Committee. In the event of a vacancy in the Episcopate, the President shall call a meeting within thirty days after knowledge of the fact. The Standing Committee shall hold meetings for the transaction of business at each Convention, and shall report to the annual meetings of the Convention the transactions of the preceding year. A record of all their official acts shall be kept by their Secretary, which shall always be open to the inspection of the Bishop and of the Convention.

Sec. 3. — EXECUTIVE MISSIONARY COMMITTEE. — The Executive Missionary Committee shall have in charge the Missionary funds of the Diocese, for which they shall be empowered to draw upon its Treasurer—the order of their Chairman being the Treasurer's warrant. They shall receive applications for aid ; they shall report annually to the Convention their transactions during the previous year, and the condition of the Missionary field, and shall make such recommendations for the future as may seem to them good. Under the direction of the Bishop—if there be one—they shall select the Missionaries or Missionary Stations to be aided, and in the absence of specific directions by the Convention, shall make such appropriations to the same as may seem to them suitable. With the consent of the Bishop, they may appropriate moneys to Convocations instead of individuals ; and may leave to these Convocations, under the direction of the Bishop, the selection of Missionaries or Missionary Stations to be aided.

Sec. 4 — EDUCATION COMMITTEE. — The Education Committee shall have charge of the Education fund of the Diocese, with power, in the absence of express provisions to the contrary, to invest or appropriate the same as may seem to them best. They shall be empowered to draw upon the Treasurer of the Diocese for all such funds in his hands, and the order of their Chairman shall be his warrant. They shall receive, consider and act upon all applications for aid in behalf of young men desirous to enter the Ministry of the Church. They are hereby directed to seek out such cases, and, if need be, bring them to the notice of the Church, in any way that may seem best. They shall report annually to the Convention their transactions of the preceding year, and the condition of the fund under their control, and shall make such recommendations for the future as may seem to them good.

Sec. 5. — CHURCH BUILDING COMMITTEE. — The Church Building Committee shall have charge of all funds contributed in the Diocese for the purpose of aiding feeble congregations within the Diocese in building or repairing Churches, with power to invest or appropriate

the same as may seem to them best: *Provided*, that there shall be no appropriation of the funds of this Committee towards any building not secured to the sole use of the Protestant Episcopal Church in the Diocese of North Carolina. The Committee shall be empowered to draw upon the Treasurer of the Diocese for such funds as he may have received for Church Building; and the order of their Chairman shall be his warrant. They shall report annually to the Convention their transactions of the preceding year, and the condition of the fund under their control; and shall make such recommendations for the future as may seem to them good.

#### CANON IX.—RELIEF FUND.

The contributions to the Relief Fund shall be distributed under the direction of the Bishop.

#### CANON X.—COMMITTEE ON THE STATE OF THE CHURCH.

It shall be the duty of the Committee on the State of the Church, from such materials as may be placed before them, to report to the Convention, at some time during its session, the condition of the Diocese, with such particular statements, or such recommendations, as may seem to them desirable.

#### CANON XI.—COMMITTEE ON FINANCE.

The Committee on Finance shall audit the Treasurer's accounts. They shall have power to report a scale of assessments for the purpose of raising funds required for Diocesan purposes; they may receive applications for the alteration of the said scale, and shall report thereon to Convention. They shall report to each Convention the general condition of the several funds of the Diocese, with such deficits in the assessments as may be discoverable. They may make such recommendations as may seem to them desirable, and shall act upon all other matters relative to Diocesan property committed to them by the Convention.

#### CANON XII.—DEPUTIES TO THE GENERAL CONVENTION.

At each Annual Convention there may, and at each Annual Convention immediately preceding the triennial session of the General Convention there shall, be elected four Clerical and four Lay Deputies to the said General Convention, who shall be, in accordance with Art. III of the Constitution of the General Convention, "Communicants in this Church and residents in the Diocese." There may also be ap-

pointed four Alternate Clerical and four Alternate Lay Deputies, subject to the same provisions as the original Deputies above mentioned. The said Alternate Deputies shall succeed to vacancies in the original deputation—the Clergy in the order of *official* and the Laymen in that of *personal* seniority. And in this order the Secretary shall insert their names upon the journal. Deputies elect to the General Convention, finding themselves unable to attend, shall, four weeks at least before the time of meeting, give notice to the first Alternate of the same order. Should said Alternate be unable to attend, he shall give immediate notice to the next upon the list of the same order with himself. Should either of said Alternates receive two or more of such notices, he shall, according to the circumstances, transmit said notices to one or more of the Alternates who follow him, and in the order in which they stand.

#### CANON XIII.—TRUSTEES OF THE DIOCESE.

The Bishop, or, when there is no Bishop, the President of the Standing Committee, shall, *ex officio*, with two Laymen to be elected by the Convention, constitute a Board of Trustees for the Church in this Diocese, and shall be authorized to hold the property of the Diocese not otherwise provided for; they shall also from time to time give directions to the Treasurer in regard to the investment of the permanent and unappropriated funds of the Diocese in his hands.

#### CANON XIV.—ORGANIZATION OF PARISHES.

In order to the organization of a new Parish, and its union with the Convention, it shall be necessary,

FIRST. To obtain the written consent of the Ecclesiastical Authority;

SECOND. If within the limits of some already existing Parish, to obtain and present to the Convention the written consent of the Rector of the Parish: *Provided*, that if the consent of the Minister aforesaid is denied or withheld, application may be made to the Ecclesiastical Authority of the Diocese for the establishment of such new Parish, of which application one month's previous notice shall be given to the Minister whose consent is so denied or withheld. The decision of the Ecclesiastical Authority, if in favor of the application, shall be final; but if otherwise, the case shall be reported to the Convention of the Diocese, with the reasons for withholding an assent, for the final action of that body;

THIRD. To assume a name and elect a Vestry;

FOURTH. To subscribe and present to the Convention a certificate in the following words, viz: "We, the undersigned, being adults, de-



sirous to form ourselves into a Parish of the Protestant Episcopal Church in the Diocese of North Carolina, do certify that we consent to be governed by the Constitution and Canons of the Church, as set forth in the General Convention, and by the Constitution and Canons of the Church in this Diocese; that we have assumed the name of —, and have elected the following persons Vestrymen: ——. In witness whereof, we have hereunto subscribed our names, this — day of —, in the year of our Lord —.” For the purpose of recording said subscription, as also for the purpose of receiving the subscriptions of subsequent voters, provided for by Art. X, Sec. 4, of the Constitution, a book shall be kept in the Vestry of each Church, and shall be present at the Parochial Elections.

#### CANON XV.—PAROCHIAL ELECTIONS.

Sec. 1.—VESTRY.—Upon Easter Monday, unless some other day has been specified by the Vestry, each Parish shall elect annually, from among the baptized members of the Parish in good standing, a Vestry of not less than three, nor more than twelve persons. But in the event, at any time, of an omission to elect, the Vestry last chosen shall hold over till another election shall be held.

Sec. 2.—WARDENS.—Each Vestry shall annually elect a Senior and a Junior Warden from among their own number—the former upon nomination by the Rector. If there be no Rector, the election shall proceed without said nomination.

Sec. 3.—DUTIES OF WARDENS.—In the absence of the Rector, the Wardens shall preside in all meetings of the Vestry or Congregation, in the order of their official seniority. As representatives of the Vestry, they shall (subject to its directions and in consistency with the rights of the Pastor) have charge of the Church building, and shall see that it be kept from all secular uses, and from all uses inconsistent with the doctrines or discipline of the Protestant Episcopal Church; and, so far as possible, in good repair, as becometh the House of God. They shall see that it be prepared for public worship, and that order be preserved during the same; that suitable books be provided for the service, robes for the Vestry, and, when necessary, the elements for the Holy Communion.

Sec. 4.—TREASURER.—In the absence of any other appointment, the Junior Warden shall act as Treasurer of the Parish.

Sec. 5.—VESTRY MEETINGS IN CERTAIN CASES.—Should the Rector refuse to call a meeting of the Vestry, when, in the opinion of the Wardens or of a majority of the Vestry, such a meeting would be of



importance, it shall be competent to the Wardens, or any three of the Vestry, to call one: *Provided*, that the Rector shall have due notice of the same.

#### CANON XVI.—CALL OF A PASTOR.

When there is no Rector, the Wardens and Vestry shall have power to call a Minister and to enter into all needful stipulations for his support. But if he prefer to rely upon the voluntary contributions of the people, he shall be entitled to do so; and in such case the Vestry shall not have power to tax the sittings for that purpose without his consent. The Rector shall not have power to appoint a *permanent* Assistant without the consent of the Vestry.

#### CANON XVII.—LEGAL POWERS OF THE VESTRY.

The Vestry shall be the Trustees of the Parish; shall have charge of all the secular concerns thereof; shall hold the property belonging thereto, and shall be authorized to collect, invest or disburse its funds.

#### CANON XVIII.—DISSOLUTION OF PARISHES.

In case of the dissolution of a Parish, the property belonging to the same shall vest in the Trustees of the Diocese, in trust for the interests of the Church in the said late Parish, and shall, upon the *bona fide* re-organization of said Parish, be re-conveyed to the same.

#### CANON XIX.—REGISTRATION, REPORTS, &c.

Sec. 1.—PRIVATE AND PARISH REGISTERS.—It is hereby ordered that each Clergyman of this Church shall keep a register of all the baptisms, marriages, confirmations and funerals solemnized by him, as well as of all the baptisms, marriages, confirmations and funerals within his Parish or cure, specifying the names of the persons in each instance; the ages and parentage of those baptized, with the names of their sponsors or witnesses, and the time when each rite is performed, which register shall be transcribed at least once in each month into a book to be kept for the purpose by the Vestry of the Parish.

Sec. 2.—LISTS OF COMMUNICANTS, &c.—It shall also be the duty of each Clergyman to keep a list of the Communicants within his cure, and, so far as practicable, of all the families and adult persons within the same, to remain for the use of his successor.

Sec. 3.—PAROCHIAL REPORTS.—It shall be the duty of each Clergyman to report to the Bishop of the Diocese, by a form hereafter provided, on or before the first day of each Annual Convention, the number of baptisms, confirmations, marriages and deaths among the

people of his charge, from the close of his last report to the 31st day of March in each year; also, all such official acts as he may have performed within or without his cure, specifying in the latter case the place where performed. He shall also report, so far as practicable, the number of baptized persons and the number of communicants within his cure, with the number of children receiving religious instruction in Sunday Schools or Parochial Schools; also the amount of contributions for Church purposes, as well as such other matters as may throw light upon the state of the Parish. To this report shall be appended, by the Treasurer of the Vestry, a separate statement of the amount promised, and that actually paid, as the salary of the Clergyman.

[FORM.]

## PAROCHIAL REPORT

*Of* (Here insert name of) *Parish*, (Here insert location of.)

	White.	Color'd.	
Baptisms—Infant .....			
Adult.....			
Confirmations.....			
Marriages .....			
Burials .....			
Baptized Persons (not Communicants).....			
Sunday School Pupils.....			
Parochial School Pupils.....			
Communicants—Number last year.....			
Added by first communion.....			
“ “ removal.....			
Lost by death.....			
“ “ removal .....			
“ “ excommunication.....			
Total now.....			

## CONTRIBUTIONS.

Bishop's Salary and Convention Fund.....	\$	
Diocesan Missions and Relief Fund.....		
Domestic Missions .....		
Foreign Missions.....		
Permanent Episcopal Fund.....		
Education Fund.....		
Parochial objects.....		
Other objects.....		
Total.....	\$	

\_\_\_\_\_, *Rector*.

*Report of the Vestry of the Parish.*

Salary promised to the Rector.....	\$
Salary paid to the Rector.....	\$

—————, *Treasurer of the Vestry.*

SEC. 4.—READING OF SAID REPORTS.—The said reports, or such parts of the same as the Bishop may deem fit, may be read in the Diocesan Convention, and shall be entered upon the journals thereof.

SEC. 5.—IF THERE BE NO PASTOR.—In the case of a Parish without a Pastor, it shall be the duty of the Vestry to make the Parochial Report required by this Canon.

SEC. 6.—COMMUNICANTS TO BE REPORTED.—In making the above Reports, all Communicants not suspended by action of a regular tribunal, or with their own consent, shall be included.

### CANON XX.—SALARIES, COMPENSATIONS, &C.

SEC. 1.—OFFICERS OF THE CONVENTION, &C.—The Secretary, the Treasurer, the Clerical members of the Diocesan Convention, and the members of the Standing Committee of the Diocese, in actual attendance upon the duly called meetings of the bodies to which they severally belong, shall be entitled to have their necessary expenses, incurred by such attendance, paid out of the funds of the Diocese; and the Treasurer of the Diocese is hereby directed to pay the same upon the personal application (by letter or otherwise) of said parties, accompanied by a certificate of the amount actually and necessarily expended in each instance.

SEC. 2.—CLERICAL DEPUTIES.—Each Clerical Deputy to the General Convention, actually attending the same, shall be entitled to have his necessary expenses, incurred by such attendance, paid out of the funds of the Diocese. And the Treasurer is hereby directed to pay the same upon his application.

### CANON XXI.—EDUCATION FUND.

There shall also be made, in every Parish of the Diocese, at least once in each year, a collection in behalf of the Diocesan Education Fund.

### CANON XXII.—PERMANENT EPISCOPAL FUND.

SEC. 1. There shall be established, to aid in the support of the Bishop, a fund to be called the Permanent Episcopal Fund, to include all sums hitherto contributed specifically to that object, or which may hereafter be contributed, whereof the principal shall remain untouched, and only the interest be applied to the support of the Episcopate.

And the Treasurer is hereby directed to add to the same, from time to time, all the surplus remaining from the amounts received by assessment or otherwise, for the support of the Episcopate and the contingent expenses of the Diocese, after payment of said Bishop's salary and contingent expenses.

#### CANON XXIII.—PERMANENT MISSIONARY FUND.

Sec. 1. All sums derived for Missionary purposes, from any source other than that of the regular Missionary assessment, shall, if consistent with the will of the donors, be invested as a Permanent Missionary Fund, whereof the principal shall remain untouched, and only the interest be applied to current Missionary expenses.

Any surplus which may remain from the amounts received for current Missionary expenses, whether by interest upon the permanent fund aforesaid, by assessment, or otherwise, after payment of such current Missionary expenses, shall be added to the permanent fund aforesaid.

#### CANON XXIV.—UNAPPROPRIATED FUNDS.

All permanent and unappropriated funds belonging to the Diocese shall be invested by the Treasurer in some safe securities, under the direction of the Trustees of the Diocese.

#### CANON XXV.—CLERGY LIABLE TO MISSIONARY DUTY.

All Clergymen receiving aid from the Missionary funds of the Diocese shall be liable to perform regular Missionary duty, the sphere of which shall be fixed by the Bishop, and the amount by the Bishop and Missionary Committee.

#### CANON XXVI.—TRIAL OF CLERGYMEN.

Sec. 1.—THE PRESENTMENT.—Any Clergyman shall be liable to presentment and trial, for false doctrine, immorality, disorderly conduct, violation of the rubrics, of the Constitution or Canons of the Church in the United States, or of the Constitution or Canons of the Church in this Diocese.

Such presentment to be made by the Vestry of the Parish in which said Clergyman has charge, or in which he resides, or by at least three male Communicants of the Diocese of full age, or by two or more Presbyters, who shall have been canonically resident therein for one year.

But no presentment shall be made in any case of any offence alleged to have been committed more than three years before the date of the

presentment: *Provided*, that if the accused be convicted of the alleged offence in a civil court, presentment may still be made within one year after said conviction.

Said presentment shall be made to the Bishop, in *writing*, with the names of the presenters subscribed, and shall distinctly declare, with all reasonable specification of time and circumstances, the nature of the offence or offences with which the said Clergyman may be charged.

Sec. 2.—PUBLIC RUMOR.—But although no such presentment be made, if *public rumor* charge any Clergyman with the commission of any of the offences above enumerated, the Bishop shall appoint two or more Presbyters to investigate the truth of such rumor; and if such investigation prove adverse to the Clergyman so charged, the said Presbyters shall make the presentment as above, according to the form and regulations there provided.

The presenters shall, in all cases, assume the responsibility of conducting the prosecution.

Sec. 3.—SERVICE OF PRESENTMENT.—CONSTITUTION OF COURT.—Should the Bishop be of opinion, from the nature of the charge or charges made, that the presentment contains sufficient grounds for proceeding to trial, he shall cause a copy thereof to be forthwith sent to the accused. He shall then give notice to the Standing Committee, who thereupon shall select *seven* Presbyters, actually and canonically resident in the Diocese, from whom the President of the Standing Committee shall, in writing, call upon the accused to elect *three*. But in case the accused refuse or neglect to make such election within ten days after due notice as aforesaid, the Standing Committee shall make the said election.

The three Presbyters so elected shall constitute a court for the trial of the accused, and shall have all powers necessary for the due conducting of the said trial.

Sec. 4.—LAY ASSESSOR.—The Bishop shall appoint a member of the legal profession, who shall also be a Communicant of the Church, as *Assessor* to the Court, to advise the Court, *if requested*, upon all *questions of law* which may arise during the trial.

Sec. 5.—TIME AND PLACE OF TRIAL, AND NOTICE THEREOF.—The Bishop shall appoint a time and place of trial, and shall give at least thirty days' notice of the same to the members of the *Court*, the *Assessor*, the *Presenters*, and the *Accused*; at which time and place the *Witnesses* also shall be notified to attend.

Sec. 6.—ASSEMBLING OF COURT AND RECORD OF PROCEEDINGS.—The Court shall assemble at the time and place appointed, and shall pro-



ceed to examine fully the charges; and shall keep an accurate *record* of all their proceedings and of the evidence.

SEC. 7.—NATURE OF EVIDENCE AND HOW GIVEN.—No charge shall be considered as established, unless proved by *two witnesses*, or by one witness and *corroborating circumstances*.

Testimony may be given orally before the Court, or in writing, upon interrogatories and cross-interrogatories—to be previously filed with the Secretary or Registrar of the Court. Any one or more of the witnesses may be examined on oath or affirmation, on the requisition of either party.

SEC. 8.—DECISION OF THE COURT AND THE SENTENCE.—A *unanimous* vote of the Court, on one or more of the charges, shall be necessary to the conviction of the accused; and if their decision be adverse to the accused, they shall proceed to determine the kind and degree of punishment commensurate, in their opinion, with the offence or offences committed. They shall transmit to the Bishop, under their hand, the record of their proceedings. The judgment of the Bishop on such decision shall be final—except that he shall have no power to *increase* the punishment recommended by the Court.

SEC. 9.—SUSPENSION, OR ANY HEAVIER SENTENCE, SHALL, *ipso facto*, sever the connection of the Clergyman with his Parish.

SEC. 10.—THE RECORD TO BE FILED.—The Record provided for in the sixth Section of this Canon, together with the Bishop's sentence endorsed, shall be preserved among the papers of the Diocese.

SEC. 11.—NOTICES.—For the purpose of any notice provided for by this Canon, it shall be sufficient to serve it either personally or by leaving a copy thereof at the last place of residence of the accused.

SEC. 12.—CONFESSION OF AN OFFENCE.—When a Clergyman shall make confession to the Bishop of the commission of any of the offences enumerated in the first section of this Canon, the Bishop shall proceed to inflict such ecclesiastical censure or punishment upon the Clergyman so confessing as he (the Bishop) shall think right.

SEC. 13.—RENUNCIATION OF FALSE DOCTRINE.—In the case of any accusation of false doctrine, a *renunciation* of the same to the satisfaction of the Bishop shall stay all farther proceedings.

#### CANON XXVII.—JOURNALS OF CONVENTION.

The Secretary shall, each year, preserve thirty copies of the Journal for the use of the members of the next ensuing Convention.

# RULES OF ORDER.

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I. Upon the day appointed, the Convention shall assemble at 10 A. M., for the purpose of organization. The Presiding Officer shall call the Convention to order, and cause the Roll to be called; whereupon, should a quorum be present, the Convention shall be declared organized.

II. After Morning Prayer the Convention shall proceed to the election of a President and a Secretary.

III. The Convention shall elect a Treasurer, after the Report of the Committee of Finance.

IV. All Committees shall be appointed by the President, unless otherwise ordered.

V. The regular Committees shall be—

- The Committee on the State of the Church,  
to consist of five persons.
- The Committee on Elections,
- The Committee on New Parishes,
- The Committee on Unfinished Business,  
to consist each of three.

The said Committees shall be appointed at as early a period in the session as may be practicable.

VI. The order of business shall be as follows:

- The Bishop's Address.
- Communications from the President.
- Reports from The Committee on Elections.
- The Committee on New Parishes.
- Parochial Reports.
- Standing Committee's Report.
- Committees appointed at the last Convention.
- Treasurer's Report.
- Finance Committee.
- Committee on Canons.
- Committee on Unfinished Business.
- Committee on the State of the Church.
- Other Special Committees.
- Petitions and Memorials.
- Motions and Resolutions.

VII. After the President has taken the Chair, no member shall continue standing, except to address the Chair.

VIII. Speakers shall address the Chair, and shall confine themselves to the point in debate.

IX. No motion shall be considered unless seconded, and, if required, reduced to writing.

X. When the President is putting any question, the members shall continue in their seats, and shall not hold any private discourse.

XI. When a question is under consideration, no motion shall be received, unless to lay upon the table, to postpone to a certain time, to postpone indefinitely, to commit, to amend, or to divide; and motions for any of these purposes shall have precedence in the order herein named. The motions to lay on the table and to adjourn shall always be in order, and shall be decided without debate; and of these the motion to adjourn shall take precedence.

XII. If the question under debate contains several distinct propositions, the same shall be divided at the request of any member, and a vote taken separately, except that a motion to strike out and insert shall be indivisible.

XIII. All amendments shall be considered in the order in which they are moved.

When a proposed amendment is under consideration, a motion to amend the same may be made. No after amendment to such second amendment shall be in order. But when an amendment to an amendment is under consideration, a substitute to the whole matter may be received. No proposition on a subject different from the one under consideration shall be received under color of a substitute.

XIV. A question once decided shall stand as the judgment of the Convention, and shall not be drawn again into debate. A motion to reconsider any vote shall not be in order, except on the same or succeeding day to that on which the vote is taken: *Provided always*, that a vote or question may be reconsidered at any time by the consent of two-thirds of the Convention: *Provided*, further, that no motion to reconsider shall be made on the last day of the Convention, except on a vote or question originally taken on that day.

XV. The Reports of all Committees shall be in writing, and shall be received of course, and without motion for acceptance, unless re-committed. All reports recommending or requiring any action or expression of opinion by the Convention shall be accompanied by a corresponding resolution.

XVI. All questions of order shall be decided by the chair without debate, but any member may appeal from such decision. And on such appeal no member shall speak more than once without leave.

XVII. No member shall be absent from the Sessions of the Convention without leave, or unless he be unable to attend.

XVIII. When the Convention is about to rise, every member shall keep his seat until the President leaves the Chair.





